



IT2

Attorney Docket No. 0635-0057

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: )  
 )  
Simon Saul et al. )  
 )  
Serial No. 10/549,357 )  
 )  
Filed: September 16, 2005 )  
 )  
For: ENZYMATIC PROCESS FOR )  
STEREO-SELECTIVE )  
PREPARATION OF CHEMICAL )  
COMPOUNDS IN HYDRO- )  
FLUOROCARBON SOLVENTS )  
 )  
Examiner: Vera Afremova )  
 )  
Art Unit: 1657 )

I hereby certify that this correspondence is  
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Commissioner for Patents, P.O. Box 1450,  
Alexandria, VA 22313-1450, on 5-15-2008

Elizabeth Ortiz  
May 15 2008

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 C.F.R. §§1.97 AND 1.98**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Supplemental to the prior art cited in the Information Disclosure Statement that was filed in the above captioned application on January 24, 2006, and pursuant to 37 C.F.R. § 1.97, the Examiner's attention is further directed to the documents listed on the attached Forms PCT/SB/8A and/or 8B, which documents may be material to the patentability of this application as defined in 37 C.F.R. §1.56.

No inference should be drawn that any disclosure is equivalent to the subject invention. Also, the citation of the above-discussed documents is not to be construed as an assertion that more pertinent art could not possibly be in existence. Citation of any document herein is not to be construed as an admission that any subject matter disclosed in the document is necessarily

within the inventive field of endeavor, that any disclosure is necessarily prior in time to a particular date which may be relevant to the instant patent application, and/or that any disclosure is otherwise necessarily prior art with respect to the instant invention.

Moreover, no representation is intended that any cited document represents the results of a complete search, and it is expected that the Examiner in the normal course of examination, will make an independent search and will determine the best prior art consistent with 37 C.F.R. §1.104(a), and in the course of such search will review for relevance every document cited on the attached Form(s) PTO/SB/8A and/or 8B, even if not initialed.

The right is also reserved to later set forth how the instant invention is distinguished over the disclosure of any document or other art, including the disclosure of those documents discussed herein, that may be cited by the Examiner in rejecting a claim in the present patent application.

- ☒ 1. This information disclosure statement is being filed within the following time period(s) set forth in 37 CFR § 1.97(b), and therefore no fee is believed to be due:
- ☐ Within three months of the filing date of an application other than a continued prosecution application under § 1.53(d);
  - ☐ Within three months of the date of entry of the national stage as set forth in § 1.491 in an international application;
  - ☒ Before the mailing of the first Office action on the merits; or
  - ☐ Before the mailing of the first Office action after the filing of a request for continued examination under § 1.114.
- ☐ 2. As set forth in 37 CFR § 1.97(c), this information disclosure statement is being filed after the time period set forth in 37 CFR § 1.97(b) (see above) but before the mailing date of any of a final action under 37 CFR § 1.113, a notice of allowance under 37 CFR § 1.311 or an action that otherwise closes prosecution in the application. [Select either one of the statements **OR** the fee below, as appropriate]

- ☐ It is hereby stated and certified with respect to this information disclosure statement:
- ☐ That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement; or
- ☐ That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement.
- ☐ Enclosed is the fee set forth in 37 CFR § 1.17(p) or in the event no fee is enclosed, this is a request and authorization to charge the appropriate fee to Deposit Account No. 50-1039.
- ☐ 3. As set forth in 37 CFR § 1.97(d) this information disclosure statement is being filed after the period specified in 37 CFR § 1.97(c) (see above) and on or before payment of the issue fee. It is hereby stated and certified with respect to this information disclosure statement:
- ☐ That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement; or
- ☐ That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement.

Also enclosed is the fee set forth in 37 CFR § 1.17(p) or in the event no fee is enclosed, this is a request and authorization to charge the appropriate fee to Deposit Account No. 50-1039.

In summary, it is respectfully requested that in accordance with MPEP §§609 and 707.05(b), this Information Disclosure Statement be considered and made of record, and that each document cited be given thorough consideration, and that each document be cited of record in the prosecution history of the present application and the patent to issue on the present application by initialing on the enclosed Form(s) PTO/SB/08A and/or 08B.

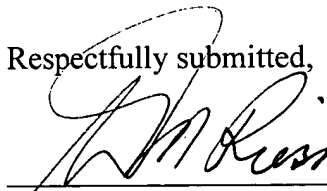
A copy of all documents which have been cited on the enclosed Form(s) PTO/SB/08A and 08B are attached hereto as follows:

1. The Japanese language JP2001-515729, a copy of which is enclosed, corresponds to (a) U.S. 6,383,772 a copy of which is attached thereto, and to (b) the English language WO 99/13098, which was cited during the international phase of the parent PCT application and also in the Information Disclosure Statement that was filed January 24, 2006 in the present application.
2. The Corr paper, a copy of which is enclosed, is in English and is authored by one of the inventors in the present application.
3. The Japanese language JP 2002-526086, a copy of which is enclosed, corresponds to the English language WO 00/17384, a copy of which is attached thereto.
4. The German language WO 01/38292, a copy of which is enclosed, corresponds to the English language U.S. 7,078,226, a copy of which is attached thereto.
5. The German language WO 00/39324, a copy of which is enclosed, corresponds to the English language CA 2354382, a copy of which is attached thereto.
6. The cover letter of April 11, 2008 from Kyowa Patent and Law Office to which the Japanese Office Action with English translation dated March 18, 2008 is attached from the Japanese application which corresponds to this application.

It is also respectfully requested any fee required for consideration, if not authorized above and not otherwise paid herewith, be charged or any overpayment be credited to deposit account No. 50-1039.

Date: May 15, 2008

Respectfully submitted,

A handwritten signature in black ink, appearing to read "D. M. Riess", is written over a horizontal line.

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